

COMMONWEALTH OF VIRGINIA



WILLIAMSBURG/JAMES CITY COUNTY  
Civil Division  
5201 MONTICELLO AVENUE SUITE 6  
WILLIAMSBURG VA 23188  
(757) 564-2242

Summons

To: SEAWORLD PARKS & ENTERTAINMENT  
LLC, D/B/A SEAWORLD PARKS, LLC  
CT CORPORATION  
REGISTERED AGENT  
4801 COX ROAD, SUITE 285  
GLEN ALLEN VA 23060

Case No. 830CL20000965-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Monday, June 01, 2020

Clerk of Court: MONA A FOLEY

by Cynthia J. Cruseberry  
(CLERK/DEPUTY CLERK)

Instructions:

Hearing Official:

Attorney's name:

**VIRGINIA: IN THE CIRCUIT COURT OF JAMES CITY COUNTY/ WILLIAMSBURG**

**SUSAN E. MONKS**

**Plaintiff,**

**v.**

**CASE NO. CL20- 965**

**SEAWORLD PARKS & ENTERTAINMENT, LLC**

**d/b/a SEAWORLD PARKS, LLC**

**Serve: CT Corporation, Registered Agent**

**4801 Cox Road, Suite 285**

**Glen Allen, Virginia 23060**

**Defendant.**

**COMPLAINT**

COMES NOW, the plaintiff, Susan Monks, by counsel, and for her Complaint against the defendant states the following:

1. Defendant SeaWorld Parks & Entertainment LLC d/b/a SeaWorld Parks, LLC is a foreign limited liability company organized under the laws of the State of Delaware with a principal place of business in Orlando, Florida.
2. Defendant SeaWorld Parks & Entertainment LLC d/b/a SeaWorld Parks, LLC owns, operates, and manages amusement parks in the United States including Busch Gardens Williamsburg in James City County, Virginia (hereinafter "The Premises").
3. On or about June 8, 2018, and at all times material hereto, defendant SeaWorld Parks & Entertainment LLC d/b/a SeaWorld Parks, LLC owned, operated, and managed The Premises.
4. On or about June 8, 2018, defendant SeaWorld Parks & Entertainment LLC d/b/a SeaWorld Parks, LLC operated and/or managed The Premises by its employees, agents, and servants acting at all times material hereto within the course and scope of their agency and/or employment.

5. At all times relevant, defendant was liable for the negligent acts of its employees, agents, and servants working on The Premises.

6. On or about June 8, 2018, plaintiff was on The Premises to partake of the rides, entertainment, and facilities therein and was then and there, and at all times material hereto, in the status of an invitee.

7. At that time and place, defendant, through its employees, agents, and servants as described in paragraph 4 herein, was pushing a dolly in or near the "France" section of The Premises, near the location where the plaintiff was walking.

8. At that time and place, defendant through its employees, agents, and servants struck the plaintiff with the dolly, causing plaintiff to fall to the ground.

9. At that time and place, it was the duty of the defendant through its employees, agents, and servants to have The Premises in a reasonably safe condition for plaintiff's use.

10. At that time and place, it was the duty of the defendant through its employees, agents, and servants to maintain control of the dolly while on The Premises.

11. At that time and place, it was the duty of the defendant and its employees, agents, and servants to warn of any unsafe condition about which defendant knew or, by the use of ordinary care, should have known.

12. At that time and place, it was the duty of defendant and its employees, agents, and servants to refrain from creating dangerous and unsafe conditions so that persons walking on The Premises, including plaintiff, might do so with reasonable safety.

13. The above described incident was directly and proximately caused by carelessness, recklessness, and negligence in the operation and use of the dolly by the defendant.

14. Defendant and its employees, agents, and servants carelessly, negligently and recklessly caused plaintiff to fall on The Premises where members of the public, including plaintiff, could reasonably be expected to walk with safety.

15. The dangerous and unsafe condition was created by, known by, or in the exercise of reasonable care, should have been known by, defendant and its employees, agents, and servants and the dangerous and unsafe condition was unknown to the plaintiff.

16. As a proximate result of the above-described incident, plaintiff was caused to suffer serious and permanent injuries; has suffered and will suffer in the future pain of body and mind; has incurred and will incur in the future medical and related expenses; and has been deprived of earnings.

WHEREFORE, plaintiff demands judgment against defendant in the sum of TWO HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$285,000.00), plus pre-judgment and post-judgment interest and costs.

Trial by jury is demanded.

SUSAN E. MONKS

BY:

*William Nissen, Jr. #81268*  
\_\_\_\_\_  
for Courtney A. Van Winkle

VS No. 31639

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